

REMARKS

The Examiner's Office Action of February 26, 2003 has been received and its contents reviewed. Applicants would like to thank the Examiner for the consideration given to the above-identified application.

By the above actions, claims 12, 18, 23, 29, 34, 37, 41, 53, 55 and 58 have been amended as shown above, while claims 1-11, 14, 20, 25, 44-45, 59, 62-64 and 72-74 were cancelled previously. Accordingly, claims 12-13, 15-19, 21-24, 26-43, 46-58, 60, 65-71, and 75-96 are pending for consideration, of which claims 12, 18, 23, 29, 34, 37, 41, 53, 55 and 58 are independent. In view of these actions and the following remarks, reconsideration of this application is now requested.

Referring now to the detailed Office Action, claims 12, 15, 17, 23, 26, 28, 34-36, 46, 48, 50, 75, 77, 79, 88 and 90-91 stand rejected under 35 U.S.C. §103(a) as unpatentable over Satoshi et al. (JP 04-139727 – hereafter Satoshi) in view of Yamazaki (USP 4,727,044 – hereafter Yamazaki) and further in view of Mukai (USP 5,077,233 – hereafter Mukai). Further, claims 32, 53-54, 67, 69, 82, 85 and 94 stand rejected under 35 U.S.C. §103(a) as unpatentable over Satoshi in view of Yamazaki and further in view of Mukai, as applied to claims 12, 15, 17, 23, 26, 28, 34-36, 46, 48, 50, 75, 77, 79, 88 and 90-91 above, and further in view of Ito et al., "Thin Film Technology of VLSI", pages 87-88 (hereafter Ito). Still further, claims 18, 21-22, 27, 47, 76 and 89 stand rejected under 35 U.S.C. §103(a) as unpatentable over Satoshi et al. (JP 04-139727 – hereafter Satoshi) in view of Yamazaki and further in view of Mukai, as applied to claims 12, 15, 17, 23, 26, 28, 34-36, 46, 48, 50, 75, 77, 79, 88 and 90-91 above, and further in view of Han et al. (USP 4,599,118 – hereafter Han). Still further, claim 66 stands rejected under 35 U.S.C. §103(a) as unpatentable over Satoshi in view of Yamazaki and further in view of Mukai and Han, as applied to claims 18, 21-22, 27, 47, 76 and 89 above, and further in view of Ito. Still further, claims 16, 19, 29-31, 33, 41-43, 49, 52, 58, 60-61, 68, 78, 81, 84, 87, 93 and 96 stand rejected under 35 U.S.C. §103(a) as unpatentable over Satoshi in view of Yamazaki and further in view of Mukai, as applied to claims 12, 15, 17, 23, 26, 28, 34-36, 46, 48, 50, 75, 77, 79, 88, and 90-91 above, and further in view of Chang (USP 5,064,775 – hereafter Chang) and Wolf et al. "Silicon Processing for the VLSI Era Volume 1: Process Technology" (hereafter Wolf). Still further, claims 24, 55-57, 71, 83, 86 and 95 stand rejected under 35 U.S.C. §103(a) as unpatentable over Satoshi in

view of Yamazaki, and further in view of Mukai and Chang and Wolf, as applied to claims 16, 19, 29-31, 33, 41-43, 49, 52, 58, 60-61, 68, 78, 81, 84, 87, 93 and 96 above, and further in view of Ito. Still further, claims 13, 37-40, 51, 80 and 92 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satoshi et al., JP 04-139727 in view of Yamazaki and further in view of Mukai and Chang and Wolf et al., as applied to claims 16, 19, 29-31, 33, 41-43, 49, 52, 58, 60-61, 68, 78, 81, 84, 87, 93 and 96 above, and further in view of Han et al. (USP 4,599,118). Finally, claim 70 stands rejected under 35 U.S.C. §103(a) as unpatentable over Satoshi in view of Yamazaki and further in view of Mukai, Chang, and Wolf, as applied to claims 13, 37-40, 51, 80 and 92 above, and further in view of Ito.

In response to the §103(a) rejections, Applicants have amended all pending independent claims as shown above to further recite the gate electrode comprising aluminum having a grain size of 1 μ m. Support for the amendment can be found at least in, e.g., the last paragraph of page 28 of the specification. Applicants respectfully assert that none of the cited prior art references teach, disclose or suggest Applicants' claimed invention, including the gate electrode comprising aluminum having a grain size of 1 μ m as amended.

The requirements for establishing a *prima facie* case of obviousness, as detailed in MPEP § 2143 - 2143.03 (pages 2100-122 - 2100-136), are: first, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference to combine the teachings; second, there must be a reasonable expectation of success; and, finally, the prior art reference (or references when combined) must teach or suggest all of the claim limitations. Without proper suggestion or motivation to include the feature wherein the gate electrode comprising aluminum having a grain size of 1 μ m, the combination of the cited prior art references in the §103(a) is improper. Accordingly, Applicants respectfully request reconsideration and withdrawal of all pending §103(a) rejections.

While the present application is now believed to be in condition for allowance, should the Examiner find some issue to remain unresolved, or should any new issues arise, which could be eliminated through discussions with Applicants' representative, then the Examiner is invited to contact the undersigned by telephone in order that the further prosecution of this application can thereby be expedited.

Respectfully submitted,



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